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DEC 11 1997

December 11, 1997

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**BY HAND DELIVERY**

Magalie Roman Salas, Esquire  
Secretary  
Federal Communications Commission  
1919 M Street, NW, Room 222  
Washington, D.C. 20554

Re: MM Docket No. 97-168  
RM-9103  
Arcadia and Ellington, Missouri;  
Carbondale and Steeleville, Illinois;  
and Tiptonville, Tennessee

Dear Ms. Salas:

Transmitted herewith, on behalf of Lyle Broadcasting Corporation, licensee of Station WCIL-FM, Carbondale, Illinois, are an original and four copies of its "Reply Comments" in the above-referenced proceeding.

Should any questions arise concerning this matter, please communicate with the undersigned.

Very truly yours,  
FLETCHER, HEALD & HILDRETH, P.L.C.

*Anne Goodwin Crump*

Anne Goodwin Crump  
Counsel for Lyle Broadcasting Corporation

Enclosures

cc: Service List (w/enc.)

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# Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	MM DOCKET NO. 97-168
Table of Allotments,	)	RM-9103
FM Broadcast Stations.	)	
(Arcadia and Ellington, Missouri;	)	
Carbondale and Steeleville, Illinois;	)	
and Tiptonville, Tennessee)	)	

## REPLY COMMENTS

Lyle Broadcasting Corporation ("Lyle"), licensee of Station WCIL-FM, Carbondale, Illinois, by its attorneys, hereby respectfully submits its Reply Comments in accordance with the Commission's Public Notice, Report No. 2239, released November 26, 1997. With respect thereto, the following is stated:

1. In its Public Notice, the Commission sought Reply Comments concerning Lyle's Counterproposal in the above-captioned proceeding. In its Counterproposal, Lyle proposed to amend the Table of Allotments as follows:

### Option 1

	<u>Current</u>	<u>Proposed</u>
Tiptonville, Tennessee	267C3	267C3 - site restriction
Carbondale, Illinois	268B	268C1
Arcadia, Missouri	-----	247A
Marble Hill, Missouri	247A	228A

Option 2

	<u>Current</u>	<u>Proposed</u>
Tiptonville, Tennessee	267C3	267C3 - site restriction
Carbondale, Illinois	268B	268C1
Arcadia, Missouri	-----	280A
Ellington, Missouri	280A	294A

Option 3 - Alternative Counterproposal 1

	<u>Current</u>	<u>Proposed</u>
Tiptonville, Tennessee	267C3	267C3
Carbondale, Illinois	268B	-----
Steeleville, Illinois	-----	268C1
Arcadia, Missouri	-----	247A
Marble Hill, Missouri	247A	228A

Option 4 - Alternative Counterproposal 2

	<u>Current</u>	<u>Proposed</u>
Tiptonville, Tennessee	267C3	267C3
Carbondale, Illinois	268B	-----
Steeleville, Illinois	-----	268C1
Arcadia, Missouri	-----	280A
Ellington, Missouri	280A	294A

2. Lyle's proposed changes in the FM Table of Allotments clearly would serve the public interest. By adopting the channel substitutions proposed herein, not only would the community of Arcadia, Missouri receive a first local broadcast transmission service, but Lyle would be able to provide additional and improved service to a large number of people. Lyle's proposed Channel 268C1 facility would be able to serve 52.6 percent more people than its current facility. This increase in service would have no countervailing public interest detriment. The substitution

at Arcadia would provide the community with a channel equivalent to that proposed by Iron County Broadcasting Company in its Petition for Rule Making. Indeed, two alternative channels are available for use at Arcadia.

3. Furthermore, the site restriction proposed for the current Tiptonville allotment, assuming that the allotment is retained, would not unduly limit that allotment.<sup>1</sup> Indeed, the acceptability of the site restriction is reflected in "Comments on Counterproposal" filed by Twin States Broadcasting, Inc. ("Twin States") on December 9, 1997. Twin States is a party which has argued in the rule making proceeding in MM Docket 96-204 (Martin and Tiptonville, Tennessee) that the Tiptonville allotment should not be downgraded or deleted. In its "Comments on Counterproposal" submitted in this proceeding, Twin States has indicated no objection to the proposed site restriction on the Tiptonville allotment and has affirmed its continuing interest in seeking an authorization to operate on Channel 267C3 at Tiptonville regardless of the proposed site restriction. Clearly, therefore, the proposed site restriction will not create significant burdens for potential Tiptonville applicants, assuming that the Class C3 allotment is retained.

4. With regard to the change in channel proposed for Marble Hill, Missouri, in Options 1 and 3 of Lyle's Counterproposal, the permittee of the Marble Hill station filed an application for modification of construction permit on September 19, 1997, three days prior to the filing of Lyle's Counterproposal. That application proposes to move the transmitter site for the Marble Hill to a new site located approximately 0.2 kilometers east of the site currently specified in the construction permit. As set forth in the Engineering Statement attached hereto, the Marble Hill

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<sup>1</sup> A proposal has been made in MM Docket 96-204 to delete Channel 267C3 at Tiptonville and to substitute Channel 267C3 for Channel 269A at Martin, Tennessee. If that proposal is adopted, no site restriction would be required.

modification application has no impact on Lyle's Counterproposal. If either Option 1 or Option 3 of Lyle's Counterproposal is adopted, the proposed new transmitter site co-ordinates for the Marble Hill station would remain fully spaced to all other stations requiring protection consideration.

5. One correction should be made, however, with regard to the Commission's Public Notice of Lyle's Counterproposal. In that Public Notice, with regard to Option 3, the Commission specified incorrect co-ordinates for Channel 268C1 at Steeleville, Illinois. As set forth in the attached Engineering Statement, those co-ordinates should be corrected to 37°39'10" North Latitude, 89°45'30" West Longitude.

6. Whichever of Lyle's proposals is adopted by the Commission would serve the public interest, whether it is Option 1 or Option 2, or the alternative counterproposal Option 3 or Option 4. All of these options would result in a first local broadcast transmission service at Arcadia and an upgrade for WCIL-FM which would allow it to serve 52.6 percent more people.

7. If Channel 268C1 is allotted to either Carbondale or Steeleville, Lyle hereby reaffirms its commitment to file an application for construction permit to effectuate the change in the allotment for WCIL-FM and, if that application is granted, to construct promptly its Channel 268C1 facilities as authorized.

Respectfully submitted,

LYLE BROADCASTING CORPORATION

By: *Anne Goodwin Crump*  
Frank R. Jazzo  
Anne Goodwin Crump

Its Attorneys

FLETCHER, HEALD & HILDRETH, P.L.C.  
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December 11, 1997

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ENGINEERING STATEMENT IN  
SUPPORT OF REPLY COMMENTS  
TO COUNTERPROPOSAL

MM DOCKET 97-168

Lyle Broadcasting Corp.  
Carbondale, IL

December 8, 1997

Prepared for: Mr. David Obergonner  
Lyle Broadcasting Corp.  
P.O. Box 1610  
Cape Girardeau, MO 63702

**CARL E. SMITH CONSULTING ENGINEERS**

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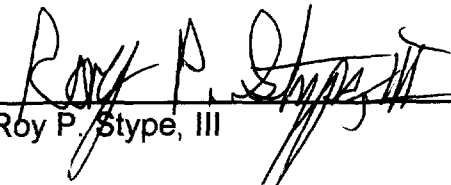


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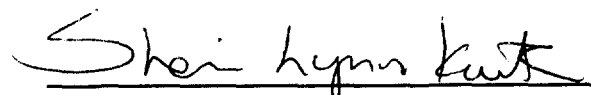
State of Ohio                                 )  
  ) ss:  
County of Summit                            )

Roy P. Stype, III, being duly sworn, deposes and states that he is a graduate Electrical Engineer, a qualified and experienced Communications Consulting Engineer whose works are a matter of record with the Federal Communications Commission and that he is a member of the Firm of "Carl E. Smith Consulting Engineers" located at 2324 North Cleveland-Massillon Road in the Township of Bath, County of Summit, State of Ohio, and that the Firm has been retained by the Lyle Broadcasting Corporation to prepare the attached "Engineering Statement In Support Of Reply Comments To Counter-proposal - MM Docket 97-168."

The deponent states that the Exhibit was prepared by him or under his direction and is true of his own knowledge, except as to statements made on information and belief and as to such statements, he believes them to be true.

  
\_\_\_\_\_  
Roy P. Stype, III

Subscribed and sworn to before me on **December 8, 1997.**

  
\_\_\_\_\_  
Notary Public

SHERI LYNN KURTZ, Notary Public  
Residence - Summit County  
State Wide Jurisdiction, Ohio  
My Commission Expires June 14, 2000

/SEAL/

## ENGINEERING STATEMENT

This engineering statement is prepared on behalf of the Lyle Broadcasting Corporation, licensee of Radio Station WCIL-FM - Carbondale, Illinois. On September 22, 1997, WCIL-FM filed a counterproposal in MM Docket 97-168, proposing to upgrade WCIL-FM to a Class C1 facility. This counterproposal outlined four possible options for this upgrade, two of which would result in WCIL-FM remaining licensed to Carbondale, Illinois, while imposing a site restriction on vacant Channel 267C3 in Tiptonville, Tennessee, and two of which would change the station's community of license to Steeleville, Illinois. All four of these options require allotting an alternate channel to Arcadia, Missouri, in lieu of Channel 269A, which was originally proposed in this proceeding, as well as the substitution of an alternate channel for an unbuilt construction permit in either Marble Hill, Missouri, or Ellington, Missouri. On November 26, 1997, the FCC released a public notice announcing that the WCIL-FM counterproposal in this proceeding had been accepted and establishing the deadline for the filing of reply comments to this counterproposal. This engineering statement is prepared in support of such reply comments.

The FCC Public Notice accepting this counterproposal erroneously specified the following reference coordinates for Channel 268C1 in Steeleville, Illinois, for Option 3 outlined in this counterproposal:

NL - 37° 19' 10"  
WL - 89° 45' 30"

The actual proposed reference coordinates for Channel 268C1 in Steeleville in both Option 3 and Option 4 of this counterproposal are:

NL - 37° 39' 10"  
WL - 89° 45' 30"

The correct reference coordinates for Channel 268C1 in Steeleville were specified in this public notice for Option 4 and are also correctly specified in the FCC's FM engineering database.

Both Option 1 and Option 3 of the WCIL-FM counterproposal propose to substitute Channel 228A for Channel 247A in Marble Hill, Missouri, and modify an unbuilt construction permit for the Marble Hill allotment to specify operation on Channel 228A to accommodate the allotment of Channel 247A to Arcadia, Missouri, in lieu of Channel 269A. On September 19, 1997, prior to the filing of the WCIL-FM counterproposal in this proceeding, the permittee of the Marble Hill construction permit filed an application (BPH-970919IC) to modify their construction permit. This application proposes to relocate the authorized Marble Hill facilities to a new site located 0.2 kilometers east of the site specified in this construction permit and to make changes in the authorized effective radiated power and antenna height. Table 1.0 is an FM spacing for Channel 228A in Marble Hill, which was conducted from the geographic coordinates for the site specified in this application:

NL - 37° 22' 49"  
WL - 90° 04' 49"

As shown in this table, operation on Channel 228A from the site specified in the pending application to modify the Marble Hill construction permit meets the spacing requirements to all other stations requiring protection consideration. Thus, the filing of this application by the Marble Hill permittee in no way impacts the viability of the proposal in Option 1 and Option 3 of the WCIL-FM counterproposal to substitute Channel 228A for Channel 247A in Marble Hill, Missouri, and modify this construction permit to specify

operation on Channel 228A, to accommodate the allotment of Channel 247A to Arcadia, in lieu of Channel 269A.

TABLE 1.0

FM ALLOCATION STUDY - CHANNEL 228A (93.5 MHz) - MARBLE HILL, MO

LYLE BROADCASTING CORP.  
CARBONDALE, IL

STUDY COORDINATES: 37/22/49 90/04/49

STATION	LOCATION	CHANNEL	CLASS	SPACING (km)	REQUIRED SPACING* (km)	NOTES
KYLSFM	Ironton, MO	225	A	58.27	31.0	1, 2, 3
KMAL	Malden, MO	225	C2	83.54	55.0	9
KMAL	Malden, MO	225	C3	92.34	42.0	1, 2, 3
KBDZ	Perryville, MO	226	A	32.32	31.0	
KNSX	Steelville, MO	227	C2	116.79	106.0	
WKYQ	Paducah, KY	227	C1	135.21	133.0	
KBKG	Corning, AR	228	A	117.71	115.0	
WKBLFM	Covington, TN	228	A	202.92	115.0	
KYLC	Osage Beach, MO	228	C3	241.69	142.0	5, 12
KYLC	Osage Beach, MO	228	C2	243.35	166.0	7
KSD	St. Louis, MO	229	C1	133.68	133.0	
951127MD	Scott City, MO	230	A	47.95	31.0	7
951127ME	Scott City, MO	230	A	48.65	31.0	7
BPH951127MG	Scott City, MO	230	A	49.16	31.0	7
ALLOTMENT	Scott City, MO	230	A	52.52	31.0	12
951127MC	Scott City, MO	230	A	52.97	31.0	7
BPH951128MC	Scott City, MO	230	A	55.88	31.0	7
KSPQ	West Plains, MO	230	C1	167.47	75.0	
BPH921112MH	Bourbon, MO	231	A	129.31	31.0	5, 12
WMIXFM	Mount Vernon, IL	231	B	149.87	69.0	
KMHM	Lutesville, MO	281	A	12.92	10.0	
KDBB	Bonne Terre, MO	282	A	63.19	10.0	
WCCZ	Pinckneyville, IL	282	A	107.28	10.0	1, 2

\* Required Spacing Per Section 73.207 of The FCC Rules

TABLE 1.0 (cont'd)

FM ALLOCATION STUDY - CHANNEL 228A (93.5 MHz) - MARBLE HILL, MO

-----  
LYLE BROADCASTING CORP.  
CARBONDALE, IL

Notes:

- |                                      |                                  |
|--------------------------------------|----------------------------------|
| 1 - Applied For Under Section 73.215 | 7 - Pending Application          |
| 2 - Construction Permit              | 8 - Petition For Reconsideration |
| 3 - Channel Deletion Proposed        | 9 - Proposed Rulemaking          |
| 4 - Move From This Channel Ordered   | 10 - Rulemaking Petition         |
| 5 - Move to This Channel Ordered     | 11 - Short-Spaced                |
| 6 - One Step Reference Site          | 12 - Vacant Allotment            |

**CERTIFICATE OF SERVICE**

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that a copy of the foregoing "Reply Comments" was sent this 11th day of December, 1997, by first-class United States mail, postage prepaid to:

Ms. Kathleen Scheuerle\*  
Mass Media Bureau  
Federal Communications Commission  
Room 8314  
2025 M Street, NW  
Washington, D.C. 20554

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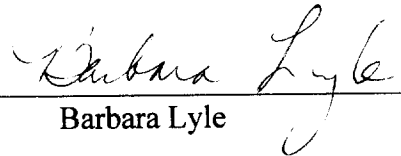
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